

Mr. Thomas Dowd  
Office of Policy Development and Research  
Employment and Training Administration  
US Department of Labor  
200 Constitution Ave. Rm. N-5641  
Washington, DC 20210

March 26, 2008

Reference: RIN 1205-AB55 Modernizing the Labor Certification Process for H2A

Dear Mr. Dowd:

Brookfield Orchards is a fourth generation apple orchard in central Massachusetts and has been in existence since 1918. We employ seven workers year 'round to keep up with the orchard maintenance and retail sales. We have used the H2A program for over thirty years and would not be able to harvest our apple crop without it. We are not on a bus route and not near a city where workers would be more available. The H2A program is important to every farm that hires employees because soon it will be our only option.

I would like to make a few comments on the proposed changes in the H2A program, they are:

1. The early filing of job orders is difficult because the needs are not known at that time and additional steps are needed in the process.
2. Advertising earlier and on Sunday is more costly.
3. Fee increases are unacceptable and all fees should be eliminated as in other programs.
4. The record keeping process should be streamlined.
5. One wage needs to be established for all.
6. The increased fine level is excessive and would constitute a hardship on most farms.
7. Verifying employment eligibility by the State insures a legal workforce referral.
8. It is more important to have a workable program than to have lower wages.
9. Being able to use workers in non-ag jobs is reasonable.

Thank you for your time and we appreciate all the work that goes into this enormous program, without it we would not be able to harvest our crop and would be out of business.

Sincerely,



Louise Woodard, President